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Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

Preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

Report of the Secretary General**

Contents

		Paragraphs	Page
I.	Introduction	1-5	2
II.	Background	6-9	3
III.	Views of States on the main theme, agenda items and workshop topics for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice	10-32	4
	A. Theme	11	4
	B. Agenda items	12-26	4
	C. Topics for the workshops	27-32	5
IV.	Views of relevant specialized agencies and United Nations programmes	33-39	5
V.	Views of intergovernmental organizations and other entities	40-47	7
VI.	Views of non-governmental organizations	48-54	9
VII.	Sixteenth Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network and views of individual institutes	55-60	10

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** The delay in submitting the report is due to the late receipt of replies from Governments.

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VIII.	Organizational arrangements		61-68	11
	A.	Venue	64	12
	B.	Dates and duration	65	12
	C.	Documentation	66	12
	D.	Format	67	12
	E.	Rules of procedure	68	13
IX.	Concluding remarks and action required by the Commission		69-71	13
Annex	Substantive topics and themes of past congresses			15

I. Introduction

1. On the recommendation of the Commission on Crime Prevention and Criminal Justice and of the Economic and Social Council, the General Assembly adopted resolution 56\119 of 19 December 2001, in which it decided to continue holding the United Nations congresses on the prevention of crime and the treatment of offenders in accordance with paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme (General Assembly resolution 46/152, annex, of 18 December 1991), following a dynamic, interactive and cost-effective method of work and a focused programme of work, and to call them the United Nations congresses on crime prevention and criminal justice.

2. The Assembly also decided that, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the Programme, shall be held in accordance with the following guidelines:

(a) Each congress shall discuss specific topics, including, where appropriate, a main topic, all of which shall be determined by the Commission;

(b) Each congress shall include one session of pre-congress consultations;

(c) Each congress shall include a high-level segment in which States will be represented at the highest possible level and will be given an opportunity to make statements on the topics of the congress;

(d) As part of the high-level segment, the heads of delegations or their representatives shall participate in a number of thematic interactive round tables, in order to further the discussion on the topics of the congress through open dialogue;

(e) Panels of experts, to be selected by the Commission with due regard for the principle of equitable geographical distribution, shall hold workshops dealing with the topics of the congress, maintaining an open dialogue with the participants and avoiding the reading of statements;

(f) Institutes of the United Nations Crime Prevention and Criminal Justice Programme network shall be invited to assist in the preparations for the workshops;

(g) The Secretary-General shall facilitate, within existing resources, the organization of ancillary meetings of non-governmental organizations and professional organizations at each congress;

(h) Each congress shall adopt a single declaration containing recommendations derived from the deliberations of the high-level segment, the round tables and the workshops, to be submitted to the Commission for its consideration;

(i) Any action suggested to the Commission regarding its programme of work, contained in the declaration of the congress, shall be undertaken through individual resolutions of the Commission;

(j) The Commission, as the preparatory body for the congress, shall request the Secretary-General to prepare only those background documents which are absolutely necessary for implementing the programme of work of the congress;

(k) Each congress shall be preceded by regional preparatory meetings, when necessary, and the costs of

the regional preparatory meetings for each congress shall be streamlined by holding them in conjunction with other regional meetings, shortening their duration and limiting the preparation of background documents.

3. In the same resolution, the General Assembly requested the Commission to continue to act as the preparatory body for the congresses and to follow the guidelines contained in paragraph 2 of the resolution in organizing future congresses. The Assembly also requested the Commission to formulate, at its eleventh session, appropriate recommendations to enable the Economic and Social Council to introduce the necessary amendments to the rules of procedure for the congresses to reflect the guidelines contained in paragraph 2.

4. In the same resolution, the General Assembly requested the Secretary-General to provide the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat with the necessary resources, within the overall appropriations of the programme budget for the biennium 2002-2003, for the preparations for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and to ensure that adequate resources are provided in the programme budget for the biennium 2004-2005 to support the holding of the Eleventh Congress. The Assembly also requested the Secretary-General to ensure the proper follow-up to its resolution 56/119 and to report thereon to the Assembly, through the Commission at its eleventh session.

5. The present report is submitted to the Commission for consideration in order to facilitate the provision of guidance on the organizational and substantive preparations for the Eleventh Congress. Following a brief presentation of past United Nations congresses on the prevention of crime and the treatment of offenders and the mandates under which they were held, the report outlines the suggestions made by States, intergovernmental and non-governmental organizations and institutes of the United Nations Crime Prevention and Criminal Justice Programme network regarding the theme, agenda items and workshop topics of the Eleventh Congress, in response to a request for their views addressed to them by the Secretary-General on 24 September 2001. The report also contains a brief overview of the organizational arrangements for the Congress, as well as a concluding chapter identifying issues on which action is required by the Commission.

II. Background

6. Since 1955, the quinquennial United Nations congresses on the prevention of crime and the treatment of offenders have been organized in pursuance of General Assembly resolution 415 (V) of 1 December 1950. Their importance has been reaffirmed in numerous resolutions by the policy-making bodies of the United Nations. During the last 40 years, the congresses have served as global events and worldwide forums, influencing national policies, mobilizing public opinion, recommending lines of action at the national, regional and international levels, and focusing attention on major issues of concern to Member States and the professional and scientific community.

7. Over the years, the congresses have undergone a significant transformation from what was primarily a gathering of national and international experts, following a long-established tradition inherited by the United Nations from the International Penal and Penitentiary Commission. In response to General Assembly resolution 415 (V), the congresses became major intergovernmental conferences. The Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held in Caracas from 25 August to 5 September 1980, represented a turning point in that regard, since the General Assembly, in its resolution 32/60 of 8 December 1977, endorsed the recommendation of the Fifth Congress that the rules of procedure of the congresses be reviewed with a view to bringing them into conformity with those of other comparable United Nations conferences, thus transforming them into fully fledged intergovernmental world conferences with representation at the highest political level.

8. The review of the functioning and programme of work of the United Nations in the field of crime prevention and criminal justice, as reflected in the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, led to the establishment of the Commission on Crime Prevention and Criminal Justice, as the relevant United Nations policy-making body in that field. On the recommendation of the

Commission at its second session, new rules of procedure for United Nations congresses on the prevention of crime and the treatment of offenders, reflecting the new orientation, structure and functions of the congresses, were approved by the Economic and Social Council in its resolution 1993/32 of 27 July 1993, and set forth in the annex thereto.

9. In response to General Assembly resolution 53/110 of 9 December 1998, the Commission at its tenth session undertook a further review of the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, as reflected in General Assembly resolution 56/119.

III. Views of States on the main theme, agenda items and workshop topics for the Eleventh United Nations Congress on Crime Prevention and Criminal Justice

10. A summary of the views of the Governments of Azerbaijan, Belarus, Finland, Germany, Greece, Haiti, Hungary, Ireland, Japan, Lebanon, Madagascar, Malaysia, Saudi Arabia, the Syrian Arab Republic, Thailand and the United Kingdom of Great Britain and Northern Ireland is presented below on the possible theme, agenda items and workshop topics to be considered by the Eleventh Congress.

A. Theme

11. Belarus proposed that the theme of the Eleventh Congress could be "Combating transnational organized crime". Finland supported themes related to organized crime and corruption. Thailand suggested that the theme could be "Synergies and responses: strategic alliance against transnational crime". (See also the proposals made by organizations and institutes in sections IV to VI below.)

B. Agenda items

1. Combating transnational crime and terrorism

12. Azerbaijan expressed its full support for including a topic on the international fight against terrorism and assistance to Member States in combating acts of terror. It also suggested that consideration be given to the interaction between separatism and international terrorism.

13. Belarus was of the view that the agenda items and workshop topics for the Eleventh Congress should be based on the following priorities: the effectiveness of international cooperation in combating transnational crime; a strategy to combat terrorism; measures to prevent drug addiction and drug trafficking; and international cooperation and technical assistance in combating illegal migration.

14. Greece proposed the inclusion of topics such as trafficking in human beings, organized crime, money-laundering and crime prevention.

15. Hungary was of the opinion that major topics such as the international fight against terrorism, trafficking in human beings, the smuggling of migrants and corruption should be included in the agenda items of the Congress.

16. Madagascar recommended that the Eleventh Congress should place emphasis on the need to promote close collaboration between the security forces and the judicial police of States. It should also focus on crimes against humanity, genocide and crimes against national minorities, and ethnic or religious crimes. Madagascar was of the view that new legislative texts should be drawn up to combat new forms of crime, money-laundering, trafficking in children and terrorism.

17. Malaysia recommended the inclusion of the following topics: (a) international cooperation in combating transnational crime, focusing on international terrorism, drug trafficking, smuggling, white slavery, trafficking in persons and piracy; and (b) mutual assistance in criminal matters involving forfeiture of property and of the proceeds of crime.

18. Saudi Arabia recommended that the Eleventh Congress should place emphasis on crime and biological terrorism, on the identification and elimination of terrorism at the international level, and on crimes involving technological information.

19. Thailand suggested that the main topics for discussion by the high-level segment of the Eleventh Congress should include the following: "Strategic alliance against transnational crime: road map for

effective international cooperation"; and "Economic crimes: adverse effects of globalization".

2. Combating corruption

20. Belarus was of the view that in discussing the issue of corruption, the focus should be on preventive measures. Japan proposed "International cooperation on measures against corruption" as one of the main topics for discussion at the Congress.

21. Thailand recommended the inclusion of the topic "Corruption: threats and trends in the twenty-first century".

3. Crime prevention and criminal justice reform

22. Finland was of the view that the following subjects would serve as topics for discussion or as themes for the workshops: alternatives to incarceration and prison overcrowding; analysis of international crime trends; and juvenile delinquency and alternative youth sanctions.

23. Ireland suggested that a victim-oriented focus on crime prevention would be worth exploring in an international context, as it would be different from the traditional approaches to the issue.

24. Japan recommended the inclusion of the following topics: efficient administration and reform of the criminal justice system; effective crime prevention; and improvement of the treatment of offenders.

25. Lebanon was of the view that the Eleventh Congress should focus on crime prevention and public awareness, together with enhancing public security, ethical values and family ties. Account should be taken of the various factors associated with crime in the context of prevailing social, economic, cultural, environmental and ethical conditions, which might be conducive to the commission of crime.

26. Thailand recommended the inclusion of an item on "Fifty years of standard-setting in criminal justice: review process".

C. Topics for the workshops

27. Belarus recommended organizing thematic workshops on the following topics: the status of cooperation between border control institutions in combating illegal immigration; measures to ensure the protection of participants in criminal proceedings and of other persons; and determining responsibility for border law violations.

28. Finland was of the view that the topics that it proposed for the agenda items could also be considered as themes for the workshops. (See para. 22 above.)

29. Germany proposed the "fight against economic crime" as a theme for one of the workshops.

30. Greece was of the opinion that the issues that it proposed for the discussion could also be considered as round-table and workshop themes. (See para. 14 above.)

31. Japan recommended that themes for the workshops should include the following: computer-related crime; money-laundering; assistance and protection to victims; and extradition of offenders and mutual cooperation in investigation.

32. Thailand recommended the following workshop topics: measures against economic crime: the role of the private sector; cross-border law enforcement cooperation; human rights in criminal justice; and international cooperation for an effective partnership between law enforcement, prosecution and judicial bodies.

IV. Views of relevant specialized agencies and United Nations programmes

Department of Economic and Social Affairs

33. The Department of Economic and Social Affairs suggested that international cooperation against the financing of terrorism could serve as a theme for the Congress, in particular in relation to money-laundering and corruption. The Department expressed its readiness to contribute to the organization, together with other relevant United Nations bodies, of a panel or round table on that topic, with the involvement of international experts. It noted that the role of international instruments and organizations appeared to be critical in promoting international cooperation against the financing of terrorism. Similarly, multilateral treaties could be significant for countries facing the challenge of developing a legislative

framework through the adoption of various new legislative instruments. Facilitating cooperation between the authorities in different countries remained a major area where international organizations such as the United Nations could play an active role.

Economic and Social Commission for Asia and the Pacific

34. The Economic and Social Commission for Asia and the Pacific proposed trafficking in human beings as a theme for the Congress. It noted that human trafficking was a growing problem in the region of Asia and the Pacific, and that the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/25, annexes I and II, of 15 November 2000) represented a new approach to combating human trafficking.

Economic Commission for Africa

35. The Economic Commission for Africa indicated that, while it had no specific suggestions to make at the current stage, it wished to draw attention to a study on the impact of crime on economic development in southern Africa, prepared by its Subregional Development Centre for Southern Africa and the African Institute for the Prevention of Crime and the Treatment of Offenders, as a contribution to the implementation of General Assembly resolution 56/119.

Economic and Social Commission for Western Asia

36. The Economic and Social Commission for Western Asia (ESCWA) recommended the issue of combating terrorism as a theme for the Eleventh Congress. It further recommended that the following items be included in the agenda of the Congress: the link between organized crime, terrorism and economic gains; terrorism as an expression of socio-economic and political unrest; and victims of the consequences of terrorism and relevant rehabilitation programmes, with particular emphasis on vulnerable groups. ESCWA was of the opinion that convening regional workshops in preparation for the Eleventh Congress would be useful, and it expressed its readiness to cooperate in that regard by preparing a regional perspective on the topics recommended.

International Labour Office

37. The International Labour Office (ILO) stressed its concerns regarding the existing forms of forced and compulsory labour and urged that particular attention to those concerns be given in discussions at the Eleventh Congress. In that connection, ILO recommended that the main topic of the Congress should address the issue of forced labour, with the following subthemes: trafficking in persons; work in the sex sector; and child labour. Reference was made to the ILO Declaration on Fundamental Principles and Rights at Work, adopted by the International Labour Conference in 1998 as a reaffirmation of the will of the international community to respect, promote and, in good faith, give effect to the following four fundamental principles: the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; freedom of association and the effective recognition of the right to collective bargaining; and the elimination of discrimination in respect of employment and occupation. In reviewing the implementation of the various ILO conventions, reference was made to the well-developed supervisory system for the application of ratified conventions. All States that ratified the conventions submitted periodic reports on their implementation of the various provisions of the conventions. The ILO Committee of Experts on the Application of Conventions and Recommendations drew attention to the adoption of the United Nations Convention against Transnational Organized Crime, and to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and called on all ratifying States to provide detailed information on the action taken pursuant thereto in their reports for 2001. ILO provided information on major projects carried out in different parts of the world with the aim of reducing labour exploitation and combating trafficking in children at the regional level. ILO was conducting studies to identify good practices and policies of Governments and organizations of workers and employers, as well as other stakeholders, in addressing the needs and concerns of women migrant workers. An information guide on preventing exploitation and abuse of women migrant workers would be published shortly.

Those activities would contribute to the preparatory work for the Congress.

World Health Organization

38. The World Health Organization (WHO) suggested that the main topic for the Congress could be "Global cooperation for crime prevention and the treatment of offenders: effective actions across borders". WHO further recommended that health, drug dependence and the criminal justice system could be one of the topics considered. As topics for round tables or workshops, WHO proposed the following: prisoners with drug dependence: rights to health and proper treatment; integration of effective prevention and treatment of infection with the human immunodeficiency virus and sexually transmitted diseases in the criminal justice system; effective treatment and care for drug dependence in prison and after release; linking the health and the criminal justice systems for the prevention and treatment of drug dependence; and professional education and training in drug abuse prevention and treatment within the criminal justice system.

World Bank

39. The World Bank recommended that the agenda items of the Congress should include the following: international cooperation against money-laundering to combat terrorism; and cooperation against international State capture. The World Bank provided background information on international State capture, which might be defined as the actions of individuals, groups or firms, both in the public and the private sectors, to influence, to their own advantage, the formation of laws, regulations, decrees and other government policies abroad, as a result of the illicit and non-transparent provision of private benefits to public officials. The World Bank expressed its readiness to cooperate with the Centre in the further development of that topic.

V. Views of intergovernmental organizations and other entities

Asian-African Legal Consultative Organization

40. The Asian-African Legal Consultative Organization was of the view that the holding of the quinquennial United Nations congresses on the prevention of crime and the treatment of offenders, by focusing on topics reflecting emerging issues, made a significant contribution to the promotion and strengthening of international cooperation in the field of crime prevention and criminal justice. The organization of such congresses should continue and, subject to resource availability, they should be held every three years, with workshops and expert group meetings being conducted during the intervening years. The Commission on Crime Prevention and Criminal Justice, as the preparatory body for such congresses, should ensure the utilization of available resources in an efficient manner. The Asian-African Legal Consultative Organization was also of the view that the legal regime for combating international terrorism should figure prominently in the agenda of the Eleventh Congress. In the aftermath of the tragic events of 11 September 2001, the need to strengthen such a regime had become imperative. How to promote wider acceptance and effective implementation of international conventions aimed at combating terrorism, and the establishment of oversight mechanisms for that purpose, were among the issues requiring urgent consideration. In the context of effective implementation of such conventions, the provision of technical assistance to developing countries in strengthening their legal capacity through training programmes and mutual cooperation should be given adequate attention. The Asian-African Legal Consultative Organization also recommended including in the agenda of the Congress items on the illegal trafficking in women and children and on the problem of corruption, and expressed its readiness to cooperate with the Commission in dealing with those issues.

Customs Cooperation Council

41. The Customs Cooperation Council (also called the World Customs Organization) stressed that the terrorist attacks in the United States of America on 11 September 2001 had made Governments review and change individual policies in every aspect of the protection of society, in particular against terrorism. Since criminals and terrorists were taking advantage of the increasing volume of international trade and movement of passengers and engaging in trafficking across borders, including trafficking in firearms, explosives, weapons and cash money, the need for

secure and strengthened border controls was essential. The World Customs Organization recommended that the Eleventh Congress should address the role of international organizations dealing with crime prevention and criminal justice matters, such as drug trafficking, money-laundering, arms trafficking and other forms of transnational organized crime and terrorism, with a view to obtaining concrete guidance on the promotion of concerted efforts. The Congress should also discuss modalities for effective law enforcement cooperation involving police, customs and other authorities, since law enforcement cooperation was a key to success in the fight against transnational organized crime and terrorism.

European Commission

42. The European Commission informed the Secretariat of the policies being developed to ensure mutual recognition of judicial decisions and the harmonization of substantive criminal law throughout the European Union through judicial cooperation in numerous fields. For example, proposals had been made for a European arrest warrant, replacing extradition within the European Union, and for measures to combat terrorism, trafficking in human beings, sexual exploitation of children, including child pornography, environmental crime and racism and xenophobia. A scheme designed to ensure greater compliance with the requirements of a fair trial, as laid down in article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms,[1] was being worked out. Such undertakings were of direct relevance to the themes of the Eleventh Congress.

International Criminal Police Organization

43. The International Criminal Police Organization (Interpol) suggested the following workshop topics: enhanced control measures to counter international terrorism, especially the financing of terrorist activities worldwide; high-technology and computer crimes; trafficking in human beings; and international crimes against children. Interpol noted that the attacks in the United States on 11 September 2001 had shown that international terrorism was a significant threat to all States. International criminals had the resources and funding required to utilize cutting-edge technologies very effectively. Trafficking in women and children across international borders for forced labour was an increasing crime problem as well as a grave violation of human rights. The dramatic rise in international crime against children was a growing concern for the international police community, with emphasis on the proper management and supervision of convicted and suspected sex offenders. Interpol expressed its readiness to cooperate in the preparations for the Eleventh Congress.

Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States

44. The Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States recognized the important role of the United Nations congresses on crime prevention and criminal justice in strengthening international cooperation against crime. The Interparliamentary Assembly recommended the following topics for round tables and workshops: countering international terrorism; combating the illegal trafficking of drugs and psychotropic substances; preventing the legalization of illegally acquired profits; and strengthening the legality of the criminal justice system.

Offshore Group of Banking Supervisors

45. The Offshore Group of Banking Supervisors indicated that it would fully support the work of the Commission on Crime Prevention and Criminal Justice in the preparations for the Eleventh Congress. They recommended that the attention of the Congress might be focused on the regulation of company and trust company service providers as a tool in crime prevention. That was an area in which members of the Offshore Group had enacted leading-edge legislation and set up a working group to consider how to translate the standards established by such legislation into international standards. The Offshore Group was of the view that one of the keys to effective crime prevention was ensuring that, in the banks, non-banking financial institutions and professional intermediaries supporting financial transactions, there was full and accurate information on those involved with the business being handled. A key player in that respect was the trust company service provider, which could include lawyers and accountants. By ensuring that there was a licensing system governing the conduct of all those involved, illegal activities could be dealt with. The Offshore Group expressed interest in participating in

the Congress and contributing to its deliberations on that matter.

Organization for Security and Cooperation in Europe

46. The Organization for Security and Cooperation in Europe stated that it had taken note of General Assembly resolution 56/119, and that it would consider measures pursuant to that resolution in carrying out its police assistance projects and institution-building activities.

Sovereign Military Order of Malta

47. The Sovereign Military Order of Malta fully supported the holding of United Nations congresses on crime prevention and criminal justice, in accordance with the guidelines specified in paragraph 2 of General Assembly resolution 56/119. The Sovereign Military Order of Malta noted that organized crime was a phenomenon that had become too widespread for a single Government to combat it effectively. States had therefore joined forces to respond to the problem by adopting powerful new treaties, namely, the United Nations Convention against Transnational Organized Crime and the protocols thereto.

VI. Views of non-governmental organizations

48. The Asia Crime Prevention Foundation expressed its full support for the organization of the Congress. The Foundation indicated that it would take into account the provisions of General Assembly resolution 56/119 in the implementation of its programme of work and suggested the following topics for inclusion in the agenda of the Congress: combating transnational organized crime in the context of sustainable development; combating corruption: realities and perspectives of regional cooperation; and crime prevention and reduction of poverty.

49. The National Council of German Women's Organizations—Federal Union of Women's Organizations and Women's Group of German Associations proposed the following topic for a workshop: "Towards universal standards in criminal law and their application in different cultures; violence against women in all its forms, including prevention, penalization and victim support services".

50. The International Police Association proposed the inclusion of a topic on transnational organized crime.

51. Defence for Children International proposed "Crime prevention" as a possible main theme for the Eleventh Congress, and noted that emphasis should be placed on the importance of effective and efficient crime prevention, especially with regard to children and juveniles. There were very disturbing trends with regard to children in conflict with the law. Increasingly tough measures and adult sanctions were being applied to children, including even the death penalty, illegal detention and torture, sometimes to the complete neglect of the issue by Governments and civil societies. It was further noted that the human rights instruments related to juvenile justice, of which several had emerged from initiatives taken by the Centre for International Crime Prevention, should be more strongly promoted to prevent the maltreatment of child offenders, but also to lend assistance to children subject to conviction in criminal cases. Defence for Children International expressed its readiness to cooperate with the Centre and with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network in organizing a workshop on that topic.

52. The International League for Human Rights was of the opinion that the United Nations congresses should be held every five years, if not even more frequently, given the urgent crime issues with human rights dimensions about which the international community was concerned. The contribution of non-governmental organizations in the preparatory activities and at the Congress itself would be essential. The International League noted that the congresses should continue to include a diversity of topics and issues, keeping in mind the importance of continuity and adherence to the mandates of the Commission, while at the same time being attentive to emerging forms of crime and its prevention. The high-level segments should be organized in such a way as to enable both presenters and attendees to maximize the sharing of information through the publication of statements or round-table discussions. Panels of experts should include representatives of non-governmental organizations, and interactive round tables and workshops should bring together diverse

participants, including government representatives, experts, representatives of non-governmental organizations and other individual experts, with due regard to geographical diversity. The Commission should encourage all concerned to enlist non-governmental organizations in the preparation of background documents and the implementation of the work programme of the Congress. The community of non-governmental organizations had historically made a unique and invaluable contribution, and its participation in the activities of the congresses, including the regional preparatory meetings, should always be encouraged.

53. Pax Romana (International Catholic Movement for Intellectual and Cultural Affairs and International Movement of Catholic Students) proposed "Concerted action against terrorism" as one of the topics for the Congress, together with the following topic: "Towards universal standards in criminal law and their application in different cultures". Pax Romana also suggested that one of the workshops should be devoted to victims of crime. In that connection, a balance between the rights of offenders and those of victims should be achieved.

54. The Howard League for Penal Reform was of the opinion that the Eleventh Congress should address real and contemporary issues for criminal justice systems, in particular those with global dimensions. The Howard League suggested the following topics: the justice systems of indigenous peoples; restorative justice; the role of women as offenders, victims and decision makers in criminal justice; and technology in crime prevention and the supervision of offenders. In respect of the last topic, the Howard League noted the extraordinary pace of development in the field of security devices, Internet crime, electronic monitoring of offenders and the use of biometrics. It expressed its readiness to contribute to the development of such a topic, in cooperation with the Secretariat and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network.

VII. Sixteenth Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network and views of individual institutes

55. The United Nations Interregional Crime and Justice Research Institute, on behalf of the institutes of the United Nations Crime Prevention and Criminal Justice Programme Network, summarized the main workshop topics proposed at the Sixteenth Coordination Meeting of the United Nations Crime Prevention and Criminal Justice Programme Network, held in Helsinki from 13 to 15 December 2001. The proposed topics included the following: prison conditions, the discussion of which at the Eleventh Congress would be a timely one, since 2005 would mark the fiftieth anniversary of the Standard Minimum Rules for the Treatment of Prisoners;[2] alternatives to incarceration and prison overcrowding; juvenile delinquency and alternative youth sanctions; money-laundering; and analysis of international crime trends. In addition, the Coordination Meeting was of the view that two possible crime prevention topics could also be considered, namely, partnership in the use of technology in crime prevention, and comparison of the tools used to determine best practices.

56. The Coordination Meeting also suggested the inclusion of a workshop topic on law and order, crime and justice in developing countries, focusing on the African region. The workshop would deal with mechanisms for monitoring and assessing the functioning of criminal justice systems in different contexts, and with the development of specific indicators of efficiency. The workshop could also address ways of strengthening confidence in the criminal justice system. Finally, the Coordination Meeting proposed a workshop topic on human security, which would encompass, for example, community security and urban safety.

57. The United Nations Interregional Crime and Justice Research Institute proposed a workshop topic entitled "Transnational terrorism and organized crime: links, concepts, international response". The main thrust of the workshop would be to explore the practical and conceptual links between terrorism and organized crime, as well as the prospects for devising a coordinated international response. The Institute was

currently developing a number of long-term projects that would make it a valuable source of expertise on that topic.

58. The Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders was of the opinion that some basic themes related to criminal justice should be included as agenda items, such as the following: effective administration of the criminal justice system; international cooperation in combating corruption; effective crime prevention and improving standards in the treatment of offenders. With regard to the workshops, the Institute recommended the inclusion of topics such as computer-related crime, money-laundering, support for and protection of victims of crime, and extradition and mutual legal assistance.

59. The Australian Institute of Criminology proposed the inclusion of a workshop topic on technology and crime control, covering items such as prevention, surveillance, restraint and detection. The Institute was of the view that those themes could be applicable to activities designed to counteract transnational organized crime, and to a range of domestic responsibilities including crime prevention and various local activities. On the international front, those techniques could be applicable in areas such as tracking illicit goods, money-laundering, developing location devices for smuggled or trafficked human beings, location and tracking devices for motor vehicles etc. At the domestic level, they might involve products for theft prevention, tamper-proof packaging for consumer products, the full range of DNA technologies and technologies for disabling consumer electronics. The Institute expressed its readiness to develop the workshop topic, in cooperation with national scientific research organizations as well as with international agencies.

60. The Naif Arab Academy for Security Sciences suggested that the Congress should address the following topics: terrorism; transnational organized crime; corruption; money-laundering; victims of crime; treatment of offenders; trafficking in human beings; illicit manufacturing and trafficking in firearms; crime prevention; human rights in religions; cultural conflicts and civilian rights during wars; and violence and conflict in the world. The Naif Arab Academy was of the view that, in selecting topics for consideration by the Congress, the Commission should be guided by an evaluation of the situation worldwide, with a view to selecting topics reflecting the actual interests of the international community.

VIII. Organizational arrangements

61. The Commission may recall that, at its tenth session, it undertook a review of the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, including the issue of the regional preparatory meetings. That was in response to General Assembly resolution 53/110 of 9 December 1998. At that session, several representatives stressed the importance of advanced preparation in the organization of future congresses. They indicated that the format and organization of the congresses should be re-examined with a view to ensuring a focused and interactive discussion of the issues before the congresses. Some of the speakers were of the opinion that each of the congresses should focus on a priority theme of global concern. The preparation for future congresses should be undertaken in close cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network. Regarding the periodicity of the congresses, several representatives were in favour of convening future congresses every five years, in line with the provisions of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme. The Commission concluded its review by making proposals on the organization of future congresses, which are reflected in General Assembly resolution 56/119.

62. The majority of replies received in response to the note verbale of the Secretary-General of 24 September 2001 provided no comments on the organizational aspects of the preparations for the Congress. The United Kingdom was of the view that future congresses should be made shorter and more focused. In particular, the continuity of the format of a single declaration and a smaller number of workshops; a move away from set-piece statements in committees and workshops towards a limited number of presentations and general discussion of issues, and a smaller number of selected topics (four or five) for discussion; and no expansion of the time allotted to the Congress and preferably a further reduction from nine working days.

63. The organizational arrangements that should be addressed by the Commission at the current session include the dates, duration and venue of the Eleventh Congress and the regional preparatory meetings. In accordance with paragraph 2 (k) of General Assembly resolution 56/119, each congress should be preceded by regional preparatory meetings, when necessary, and the costs of the regional preparatory meetings for each congress should be streamlined by holding them in conjunction with other regional meetings, shortening their duration and limiting the preparation of background documents.

A. Venue

64. The Commission may recall that two of the previous congresses were held at the United Nations Office at Geneva; of the remaining eight, four were hosted by Governments of Western European countries, two by Governments of Latin American countries, one by an African Government and one by an Asian Government. At the Tenth Congress, the representative of Mexico announced that his Government had offered to host the Eleventh Congress. On the same occasion, the representative of Thailand had similarly offered, on behalf of his Government, to host the Eleventh Congress. Similar announcements were also made at the tenth session of the Commission, and the Government of Thailand had subsequently reconfirmed its offer. In that connection, the Government of Saudi Arabia supported the holding of the Eleventh Congress in Thailand. In addition, the General Assembly, in its resolution 56/119, had noted with appreciation the offers made by the Governments of Mexico and Thailand to host the Eleventh Congress. On 26 February 2002, the Government of Mexico informed the Centre for International Crime Prevention that it would withdraw its offer and support the offer by the Government of Thailand to host the Eleventh Congress. On the same occasion, the Government of Mexico expressed its desire to host the signing of the United Nations Convention against Corruption (pursuant to General Assembly resolution 56/260, of 31 January 2002, the Ad Hoc Committee for the negotiation of a Convention against Corruption is to complete its work by the end of 2003).

B. Dates and duration

65. The dates of the Eleventh Congress need to be set in consultation with the host country as soon as possible after the venue has been determined, so that logistical planning can be initiated. In deciding on the duration of the Congress, the Commission may wish to take into account the experience gained in respect of past congresses. Of particular importance to note is the time needed for the Congress work programme to ensure a thorough consideration of all substantive topics.

C. Documentation

66. In accordance with paragraph 2(j) of General Assembly resolution 56/119, the Commission, as the preparatory body for the Congress, should request the Secretary-General to prepare only those background documents which are absolutely necessary for implementing the programme of work of the Congress. Accordingly, the Commission may wish to make specific recommendations on the number, content, style and timing of Congress documentation, in particular, the discussion guide for the regional preparatory meetings, their reports and the working papers on the main topics of the Congress, as well as national papers and submissions by intergovernmental and non-governmental organizations and institutes.

D. Format

67. By its resolution 56/119, the General Assembly decided to continue holding the United Nations congresses, in pursuance of paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, following a dynamic, interactive and cost-effective method of work and a focused congress programme. Specific topics for discussion are to be determined by the Commission. In accordance with paragraph 2 of the resolution, the Eleventh Congress will be preceded by pre-Congress consultations. The work programme of the Congress shall include a high-level segment in which States will be represented at the highest possible level, giving them an opportunity to address the various topics of the Congress and to participate in thematic round

tables. The Commission is expected to select panels of experts, with due regard for the principle of equitable geographical distribution, to hold round tables and workshops on the topics of the Congress. Institutes of the United Nations Crime Prevention and Criminal Justice Programme network will be invited to assist in the preparation of the Congress. The Secretary-General will ensure the full participation of non-governmental organizations and professional organizations by facilitating the organization of ancillary meetings. In the preparations for the Congress, the Secretariat will be fully guided by the directives provided in the resolution.

E. Rules of procedure

68. The rules of procedure for the United Nations congresses underwent major modifications following the Fifth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva from 1 to 12 September 1975. The Commission may recall that, at its tenth session, it did not make recommendations on this matter, pursuant to rule 63 of the rules of procedure for the congresses.[3] At the current session, the provisional rules of procedure for United Nations congresses, under which the Tenth Congress was organized, will be made available to the Commission, in order to identify which amendments may be necessary to reflect the guidelines contained in paragraph 2 of General Assembly resolution 56/119.

IX. Concluding remarks and action required by the Commission

69. During the last 50 years, the United Nations has organized 10 quinquennial congresses, bringing together different categories of participants representing Governments and intergovernmental and non-governmental organizations, as well as individual experts of the professional and the academic community. Over the years, this diversity has enriched and fostered the cross-fertilization of knowledge and know-how between policy makers, administrators, scholars, researchers and advocates of practical reforms. At the tenth session of the Commission, it was widely recognized that such congresses provided a unique occasion for a broad spectrum of participants at various levels. They also served to maintain the political momentum in fighting crime and provided political guidance to the Commission. The high-level segment of the Tenth Congress had contributed to strengthening political will and support for crime prevention and criminal justice.

70. The international community should seize the opportunity of the Eleventh Congress to advance practical policies in the field of crime prevention and criminal justice by addressing issues of direct concern to all countries, thus maximizing the practical and scientific value of the United Nations congresses. The views provided by some Member States, by United Nations bodies and programmes and by intergovernmental and non-governmental organizations and institutes regarding the theme, agenda items, workshop topics and venue of the Eleventh Congress contain insightful proposals and viable recommendations with regard to the preparations for such a major event. The occasion of the eleventh session of the Commission should be used by Member States and by participants from various organizations and entities, in particular those that did not have the chance to provide their views on the implementation of General Assembly resolution 56/119, to come forward with their suggestions. In doing so, they would be of great assistance to the Commission, as the preparatory body for the United Nations congresses.

71. Accordingly, the Commission is expected to provide guidance and make specific recommendations for follow-up by the Economic and Social Council and the General Assembly on the following matters:

(a) Identification of the main theme for the Congress;

(b) Identification of the substantive items of the provisional agenda;

(c) Identification of the topics for the workshops;

(d) Organization of round tables and workshops to be held by panels of experts, as well as ancillary meetings;

(e) Venue and duration of the Eleventh Congress;

(f) Congress documentation, namely the discussion guide for the regional preparatory meetings, working papers on the substantive agenda items and the workshops, national statements and submissions by

intergovernmental and non-governmental organizations;

(g) Organization of the high-level segment, in accordance with paragraph 2 (c) and (d) of General Assembly resolution 56/119;

(h) Assessment of the resources required for the preparation and holding of the Congress, including the preparation for and servicing of the regional preparatory meetings;

(i) Amendments to the rules of procedure.

Notes

[1] United Nations, *Treaty Series*, vol. 213, No. 2889.

[2] See *Human Rights: A Compilation of International Instruments*, Vol. I, Part 1, sect. H (Sales No. E.94.XIV.1).

[3] Rule 63 reads as follows: "After the completion of each congress, the Commission on Crime Prevention and Criminal Justice shall make appropriate recommendations to the Economic and Social Council for such amendments to the present rules as it may deem necessary."

Annex

Substantive topics and themes of past congresses

First Congress, Geneva, 22 August-3 September 1955

1. Standard Minimum Rules for the treatment of prisoners.
2. Selection and training of personnel for penal and correctional institutions.
3. Open penal and correctional institutions.
4. Prison labour.
5. Prevention of juvenile delinquency.

Second Congress, London, 8-19 August 1960

1. New forms of juvenile delinquency: their origin, prevention and treatment.
2. Special police services for the prevention of juvenile delinquency.
3. Prevention of types of criminality resulting from social changes and accompanying economic development in less developed countries.
4. Short-term imprisonment.
5. The integration of prison labour with the national economy, including the remuneration of prisoners.
6. Pre-release treatment and after-care, as well as assistance to dependants of prisoners.

Third Congress, Stockholm, 9-18 August 1965

General theme: Prevention of criminality.

1. Social change and criminality.
2. Social forces and the prevention of criminality (with particular reference to the public, the family, educational facilities and occupational opportunities).
3. Community preventive action (with particular reference to the planning and implementation of medical, police and social programmes).
4. Measures to combat recidivism (with particular reference to adverse conditions of detention pending trial and inequality in the administration of justice).
5. Probation (especially adult probation) and other non-institutional measures.
6. Special preventive and treatment measures for young adults.

Fourth Congress, Kyoto, Japan, 17-26 August 1970

General theme: Crime and development.

1. Social defence policies in relation to development planning.
2. Participation of the public in the prevention and control of crime and delinquency.
3. The Standard Minimum Rules for the Treatment of Prisoners in the light of recent developments in the correctional field.
4. Organization of research for policy development in social defence.

Fifth Congress, Geneva, 1-12 September 1975

General theme: Crime prevention and control—the challenge of the last quarter of the century.

1. Changes in forms and dimensions of criminality—transnational and national.
2. Criminal legislation, judicial procedures and other forms of social control in the prevention of crime.
3. The emerging roles of the police and other law enforcement agencies, with special reference to changing expectations and minimum standards of performance.
4. The treatment of offenders, in custody or in the community, with special reference to the implementation of the Standard Minimum Rules for the Treatment of Prisoners adopted by the United Nations.
5. Economic and social consequences of crime: new challenges for research and planning.

Sixth Congress, Caracas, 25 August-5 September 1980

General theme: Crime prevention and the quality of life.

1. Crime trends and crime prevention strategies.
2. Juvenile justice: before and after the onset of delinquency.
3. Crime and the abuse of power: offences and offenders beyond the reach of the law.
4. Deinstitutionalization of corrections and its implications for the residual prisoner.
5. United Nations norms and guidelines in criminal justice: from standard-setting to implementation, and capital punishment.
6. New perspectives in crime prevention and criminal justice and development: the role of international cooperation.

Seventh Congress, Milan, Italy, 26 August-6 September 1985

General themes: Crime prevention for freedom, justice, peace and development.

1. New dimensions of criminality and crime prevention in the context of development: challenges for the future.
2. Criminal justice processes and perspectives in a changing world.
3. Victims of crime.
4. Youth, crime and justice.
5. Formulation and application of United Nations standards and norms in criminal justice.

Eighth Congress, Havana, 27 August-7 September 1990

General theme: International cooperation in crime prevention and criminal justice for the twenty-first century.

1. Crime prevention and criminal justice in the context of development: realities and perspectives of international cooperation.
2. Criminal justice policies in relation to problems of imprisonment, other penal sanctions and alternative measures.
3. Effective national and international action against: (a) organized crime; (b) terrorist criminal activities.
4. Prevention of delinquency, juvenile justice and the protection of the young: policy approaches and directions.
5. United Nations norms and guidelines in crime prevention and criminal justice: implementation and priorities for further standard-setting.

Ninth Congress, Cairo, 29 April-8 May 1995

General theme: Less crime, more justice: security for all.

1. International cooperation and practical technical assistance for strengthening the rule of law: promoting the United Nations Crime Prevention and Criminal Justice Programme.
2. Action against national and international economic and organized crime, and the role of criminal law in the protection of the environment: national experiences and international cooperation.
3. Criminal justice and police systems: management and improvement of police and other law enforcement agencies, prosecutions, courts and corrections, and the role of lawyers.
4. Crime prevention strategies, in particular as related to crime and urban areas and juvenile and violent criminality, including the question of victims: assessment and new perspectives.

Tenth Congress, Vienna, 10-17 April 2000

1. Promoting the rule of law and strengthening the criminal justice system.
2. International cooperation in combating transnational crime: new challenges in the twenty-first century.
3. Effective crime prevention: keeping pace with new developments.
4. Offenders and victims: accountability and fairness in the justice process.